

3821. Adulteration of oats. U. S. v. 1 Lot of Oats. Consent decree of condemnation and forfeiture. Product ordered released on bond.
(F. & D. No. 6246. I. S. No. 11469-k. S. No. E-200.)

On January 25, 1915, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a carload of oats, remaining unsold and unloaded from the car at Jersey City, N. J., alleging that the product had been shipped on or about January 20, 1915, by Fagg and Taylor, Milwaukee, Wis., and transported from the State of Wisconsin into the State of New Jersey, and charging adulteration in violation of the Food and Drugs Act. The product was waybilled as "Oats not graded."

Adulteration of the product was alleged in the libel for the reason that a substance, to wit, water, had been mixed and packed with said oats so as to reduce and lower and injuriously affect its [their] quality and strength, and for the further reason that a substance, to wit, barley, had been substituted in part for said oats.

On February 4, 1915, Ralph E. Colett, New York, N. Y., agent for said Fagg and Taylor, claimants, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released and delivered to said claimants upon payment of the costs of the proceedings and the execution of bond in the sum of \$1,000, in conformity with section 10 of the act, one of the conditions of the bond being that the water that had been added to the grain should be dried out under the supervision of inspectors of the Department of Agriculture.

CARL VROOMAN, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *May 10, 1915.*